IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 26TH JUNE 2007 / 5TH ASHADHA 1929

Bail Appl..No. 3839 of 2007()

CRIME NO.93/07 OF KANJIRAMKULAM POLICE STATION

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PETITIONERS/ACCUSED 1 TO 5

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1. YESHUKUNJU Y., S/O.YAGAPPAN,
   ERIKELLUVILA PURAYIDAM, POOVAR, THIRUPURAM,
   THIRUVANANTHAPURAM DISTRICT.

2. JUSTIN ROY, S/O.YESHUKUNJU,
   ROY LAND, ERIKELLUVILAPURAYIDAM, POOVAR,
   THIRUPURAM, THIRUVANANTHAPURAM DT.

3. FRANKLIN PAUL, S/O.YAGAPPAN,
   ERIKELLUVILAPURAYIDAM, POOVAR,
   THIRUPURAM, THIRUVANANTHAPURAM DT.

4. BABU, S/O.ANTONY, THOTTAM PURAYIDAM,
   PUTHIYATHURA, KARUMKULAM, THIRUVANANTHAPURAM DIST.

5. BABU, S/O.GEORGE,
   VARAVILATHOPPE PURAYIDAM, POOVAR,
   THIRUVANANTHAPURAM DISTRICT.

BY ADV. SRI.BABU JOSEPH KURUVATHAZHA
SRI.K.I.SAGEER

RESPONDENTS: STATE & COMPLAINANT

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1. STATE OF KERALA, REPRESENTED BY ITS
   PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   COCHIN-31.

2. SUB INSPECTOR OF POLICE,
   KANJIRAKULAM POLICE STATION,
   THIRUVANANTHAPURAM DISTRICT.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.3839 of 2007

Dated this the 26th day of June 2007

O R D E R

Application for regular bail. The petitioners are accused 1 to 8. The alleged incident took place at 7 p.m on 2/6/2007. The petitioners were allegedly members of an unlawful assembly of persons who allegedly attacked the victim and caused injuries to him including serious injuries. The petitioners were arrested on 4/6/2007. They continue in custody from that date.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not seriously oppose the said prayer on condition that the investigating officer is granted reasonable further time to complete the investigation and I am satisfied that regular bail can be granted to the petitioner subject to appropriate conditions which will ensure the interests of fair, efficient and expeditious investigation.

3. In the result, this petition is allowed. The petitioner shall be released on bail on the following terms and conditions:

i) The petitioner shall not be released on bail on the strength of this order prior to 03/07/2007. The police shall, in the meantime, make every endeavour to complete the investigation.

ii) He shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays, for a period of three months. Thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007